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33 **UNITED STATES DISTRICT COURT**  
34 **DISTRICT OF NEVADA**

35 RICHARD GIBSON and ROBERTO  
36 MANZO,

37 Plaintiffs,

38 v.

39 CENDYN GROUP, LLC, THE RAINMAKER  
40 GROUP UNLIMITED, INC., CAESARS  
41 ENTERTAINMENT INC., TREASURE  
42 ISLAND, LLC, WYNN RESORTS  
43 HOLDINGS, LLC, BLACKSTONE, INC.,  
44 BLACKSTONE REAL ESTATE PARTNERS  
45 VII L.P., JC HOSPITALITY, LLC.

46 Defendants.

47 Case No. 2:23-cv-00140-MMD-DJA

48 **PLAINTIFFS' NOTICE OF  
49 SUPPLEMENTAL AUTHORITY**

1 Plaintiffs respectfully submit the Statement of Interest filed by the U.S. Department of  
 2 Justice and the Federal Trade Commission in *Cornish-Adebiyi et al. v. Caesars Entertainment Inc.*,  
 3 *et al.*, No. 1:23-cv-02536-KMW-EAP (D.N.J. Mar. 28, 2024) as supplemental authority (hereafter  
 4 “Statement”). The Statement is attached hereto as Exhibit A.

5 In *Cornish*, the plaintiffs—a putative class of consumers who rented casino-hotel rooms in  
 6 Atlantic City, New Jersey—challenge a scheme in many ways identical to the one at issue in this  
 7 case, alleging that defendant casino-hotels (including many of the same defendants named in this  
 8 case) knowingly adopted and used Rainmaker’s pricing algorithm to fix, stabilize, and artificially  
 9 inflate rental prices for guest rooms in Atlantic City. *See Ex. B* (amended complaint). The *Cornish*  
 10 defendants recently moved to dismiss. *See Ex. C* (joint motion to dismiss); *Ex. D* (*Cornish*  
 11 plaintiffs’ opposition).<sup>1</sup> The Department of Justice submitted a Statement of Interest in the case to  
 12 “summarize the applicable legal principles for claims of algorithmic price fixing and to address  
 13 two legal errors that defendants appear to make in their motion to dismiss.” *Ex. A* at 2-3. Plaintiffs  
 14 respectfully submit that the Statement of Interest is of persuasive value in this case.

15  
 16 DATED: April 1, 2024

Respectfully submitted,

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 18 HAGENS BERMAN SOBOL SHAPIRO LLP

19 By: /s/ Steve W. Berman

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 28 <sup>1</sup> Plaintiffs include the *Cornish* briefing for completeness and do not represent it is authority.

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1                   **CERTIFICATE OF SERVICE**

2                   I hereby certify that on April 1, 2024, I electronically filed the foregoing document with  
3 the Clerk of the Court using the CM/ECF system, which will send notification of such filing to  
4 those attorneys of record registered on the CM/ECF system. All other parties (if any) shall be  
5 served in accordance with the Federal Rules of Civil Procedure.

6 DATED: April 1, 2024

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8                   */s/ Steve W. Berman*  
Steve W. Berman

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